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David Hogan

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EXAMINER

LEE, WILSON

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/747,698	Applicant(s) HOGAN ET AL.	
	Examiner Wilson Lee	Art Unit 2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
 4a) Of the above claim(s) 55-67 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 55-67 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of: .
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12/30/03, 3/31/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Remarks

Applicant elects Group I of claims 1-54 without traverse dated 11/13/06.

Claim Rejections – 35 U.S.C. 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-54 are rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility. All claims fail to include any input step or module, output step or module, and the processing (between input and output) step of module. They are inoperative by lacking essential and workable features.

Claims 1-54 are rejected under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject matter. The claims seemingly refer to a computer program or an abstract idea which both are non-statutory matter. Claims 1, 8, 15 reciting a single means of an user interface alone without any link to any hardware component is directed to non-statutory subject matter too. It is not patent eligible subject matter in accordance with *In re Warmerdam*, 31 USPQ 2d, 1354.

Claim Rejections – 35 U.S.C. 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5-14, 21, 22, 29, 36-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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In Claim 5, "ordering" is vague whether it is a list, ranking, a request, an order, a web site permission or a user permission. "Before" is vague to the claimed invention because it does not tell whether it is shown "before" in time aspect or location aspect.

Claim 6 is vague by virtue of its dependency on claim 5.

In Claim 7, "purposeful omission from display" is vague because it is not defined. Is purposeful omission determined by an administrator, a pc, a user or a corresponding URL?

In Claim 8-12, "maturity" is vague whether it is referred to age requirement, knowledge level requirement for entry, the process of content completion (such as the finished or unfinished content).

Claim 13 is vague by virtue of its dependency on claim 12.

In Claim 14, "purposeful omission from display" is vague because it is not defined. Is purposeful omission determined by an administrator, a pc, a user or a corresponding URL? "the indication of availability" lacks antecedent basis.

Claims 9-14 are vague by virtue of their dependency on claim 8.

In Claim 21, "rich media" is vague. How rich is rich?

In Claim 22, "age appropriateness" is vague whether it is referred to the age of the content or the content description for certain age group of viewers.

In Claim 29, "a metric related to people known to the user" is vague whether it is referred a situation that the person (of the people) and user know each other or the person is known to the user but the person does not know the user. Also, "the people"

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is vague whether it is referred to fictional (e.g. Harry Potter), historic (e.g. Christopher Columbus), existing (still live), or non-existing people (dead).

In Claim 36, "ordering" is vague whether it is a list, ranking, a request, an order, a web site permission or a user permission.

Claims 37-46 are vague by virtue of their dependency on claim 36.

In Claims 38-46, "Before" is vague to the claimed invention because it does not tell whether it is shown "before" in time aspect or location aspect.

In Claims 46 and 54, "people known" is vague. Please see the above rejection of claim 29.

In Claims 47-54, "purposeful omission" is vague because it is not defined. Is purposeful omission determined by an administrator, a pc, a user or a corresponding URL?

In Claim 54, "threshold" is vague and indefinite. The claim does not specify what it is (number of people, percentage, a calculated number from a formula?).

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-28, 30-37, 48, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Snyder (6,643,641).

Regarding Claim 1, Snyder discloses a search tool graphical user interface, comprising:

- search criteria selected by an operator of the search tool (See abstract)
- one or more search results that correspond to the search criteria (See Figure 3); and
- an indication of availability of content corresponding to the one or more search results (See Figure 3, Col. 2, lines 49-67, Col. 3, line 50 to Col. 4, line 40, Col. 19, lines 20-38).

Regarding Claim 2, Snyder discloses that the indication of availability includes a textual message proximate to the search result for which the indication of availability is being rendered (See Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

Regarding Claim 3, Snyder discloses that the indication of availability includes a graphical icon (35) proximate to the search result for which the indication of availability is being rendered. (See Figure 3)

Regarding Claim 4, Snyder discloses the icon is selectable to reveal text describing the availability of content corresponding to the search result for which the indication of availability is being rendered. (See Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

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Regarding Claim 5, Synder discloses (See Col. 2, lines 38-58, Col. 3, line 50 to Col. 4, line 24) that the indication of availability includes an ordering of search results, the ordering including search results corresponding to available content (all existing web pages that meet the search criteria) before search results corresponding to unavailable content (no longer exist).

Regarding Claim 6, Synder discloses that the ordering includes display of a heading (each linked page has a heading) that inherently distinguishes search results corresponding to available content from search results corresponding to unavailable content since the link will direct the user to a window telling the user the link is no longer exist which is very common in Internet world.

Regarding Claim 7, Synder discloses that the indication of availability includes display of search results corresponding to available content and purposeful omission from display of search results corresponding to unavailable content since the search result will display the link will direct the user to a window telling the user the link is no longer exist which is very common in Internet world.

Regarding Claim 8, Snyder discloses a search tool graphical user interface, comprising:

- search criteria selected by an operator of the search tool (See Abstract, Figure 3);
- one or more search results that correspond to the search criteria (See Figure 3); and

- an indication of maturity of content corresponding to the one or more search results (See Figure 3, Col. 2, lines 49-67, Col. 3, line 50 to Col. 4, line 40).

Regarding Claim 9, Snyder discloses that the indication of maturity includes a textual message proximate to the search result for which the indication of availability is being rendered (See Figure 3).

Regarding Claim 10, Snyder discloses that the indication of maturity includes a graphical icon proximate to the search result for which the indication of availability is being rendered (See Figure 3).

Regarding Claim 11, Snyder discloses that the icon is selectable to reveal text describing the maturity of content (adult content) corresponding to the search result for which the indication of maturity is being rendered (See Col. 9, line 62 to Col. 10, line 38).

Regarding Claim 12, Snyder discloses that the indication of maturity (adult content) includes an ordering of search results, the ordering including search results corresponding to content appropriate for minors (child protection) before search results corresponding to content inappropriate for minors. (See Col. 9, line 62 to Col. 10, line 38).

Regarding Claim 13, Snyder discloses that the ordering includes display of a heading that distinguishes search results corresponding to content appropriate (academic) for minors from search results corresponding to content inappropriate (adult content) for minors. (See Col. 9, line 62 to Col. 10, line 38).

Regarding Claim 14, Synder discloses that the indication of availability includes display of search results corresponding to content inappropriate (adult content) for minors and purposeful omission (child protection) from display of search results corresponding to content inappropriate (adult content) for minors. (See Col. 9, line 62 to Col. 10, line 17).

Regarding Claim 15, Synder discloses a search tool graphical user interface, comprising:

- search criteria selected by an operator of the search tool (See Abstract, Figure 3);
- one or more search results that correspond to the search criteria (See Figure 3); and
- an indication of characteristics displayed for one or more of the search results. (See Figure 3, Col. 2, lines 49-67, Col. 3, line 50 to Col. 4, line 40).

Regarding Claim 16, Synder discloses that an indication of characteristics is displayed for each of the search results. (See Figure 3).

Regarding Claim 17, Synder discloses that the characteristics include an availability for display of content in response to selection of the search result such that at least one of the search results is displayed with an indication that content corresponding to the search result is available for display in response to selection of the search result (See Figure 3, Col. 19, lines 20-38).

Regarding Claim 18, Synder discloses that the characteristics include a presence of advertisements such that at least one of the search results is displayed with an

indication of the presence of advertisements that will be rendered upon selection of a content corresponding to the at least one of the search results (See Col. 10, lines 39-59, and Col. 30, lines 10-20).

Regarding Claim 19, pop-up advertisements are commonly known and available in Internet world. Since Synder discloses that the search report could contain advertisements in Internet (See Col. 10, lines 39-59, and Col. 30, lines 10-20), Synder inherently contains pop-up advertisements that meet the criteria.

Regarding Claim 20, pop-under advertisements are commonly known and available in Internet world. Since Synder discloses that the search report could contain advertisements in Internet (See Col. 10, lines 39-59, and Col. 30, lines 10-20), Synder inherently contains pop-down advertisements that meet the criteria.

Regarding Claim 21, media advertisements are commonly known and available in Internet world. Since Synder discloses that the search report could contain advertisements in Internet (See Col. 10, lines 39-59, and Col. 30, lines 10-20), and retrieve media information such as video, audio, image formats (See Col. 24, lines 21-67 and Col. 25, lines 1-22), Synder inherently contains media advertisements that meet the criteria.

Regarding Claim 22, Synder discloses that the characteristics include an age appropriateness (for adults or children) such that at least one of the search results is displayed with an indication of the age appropriateness of content corresponding to the at least one of the search results (See Col. 9, line 62 to Col. 10, line 38).

Regarding Claim 23, Synder discloses that the characteristics include a file type such that at least one of the search results is displayed with an indication of the file type (sound, animated, video, etc) included in content to be rendered in response to selection of the at least one of the search results (See Col. 10, lines 39-59, and Col. 30, lines 10-20, Col. 24, lines 21-67 and Col. 25, lines 1-22).

Regarding Claim 24, Synder discloses that the characteristics include a presence of multimedia content such that at least one of the search results is displayed with an indication of the presence of multimedia content included in content to be rendered in response to selection of the at least one of the search results (See Col. 10, lines 39-59, and Col. 30, lines 10-20, Col. 24, lines 21-67 and Col. 25, lines 1-22).

Regarding Claim 25, Synder discloses that the characteristics include sources of the one or more search results such that at least one of the search results is displayed with an indication of the source of content to be rendered in response to selection of the at least one search result. (See abstract, Col. 1, lines 1-67).

Regarding Claim 26, message board is commonly known and available in Internet world. Since Synder shows that the sources could be any URLs (any web pages) (See Col. 1, lines 1-67 and abstract), Synder's invention can inherently reach and extract information from a web page or web site that include a message board through a web crawler to retrieve its matched information from any source (URLs) including message board which is not restricted or required password entry.

Regarding Claim 27, Regarding Claim 26, discussion forum is commonly known and available in Internet world. Since Synder shows that the sources could be any

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URLs (any web pages) (See Col. 1, lines 1-67 and abstract), Synder's invention can inherently reach and extract information from a web page or web site that include a discussion forum through a web crawler to retrieve its matched information from any source (URLs) including a discussion forum which is not restricted or required password entry.

Regarding Claim 28, Synder discloses that the source includes a web page (See abstract, Col. 1, lines 1-67).

Regarding Claim 30, Synder discloses that the indication of the characteristics includes a textual message proximate to the search result for which a characteristics indication is being rendered. (See Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

Regarding Claim 31, Synder discloses that the indication of the characteristics includes a graphical icon proximate to the search result for which a characteristics indication is being rendered (See Figure 3).

Regarding Claim 32, Synder discloses that the icon is selectable to reveal text describing the characteristics of the search result for which the icon is rendered. (See Figure 3, Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

Regarding Claim 33, Synder discloses that the icon is selectable to reveal text describing the means of identifying the characteristics of the search result for which the icon is rendered. (See Figure 3, Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

Regarding Claim 34, Synder discloses that the indication of the characteristics includes multiple graphical icons proximate to the search result for which the multiple graphical icons (35) are displayed. (See Figure 3, Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

Regarding Claim 35, Synder discloses that each of the multiple graphical icons is selectable to reveal text describing the characteristics of the search result for which the multiple graphical icons (35) are rendered represented. (See Figure 3, Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

Regarding Claim 36, Synder discloses that the indication of the characteristics includes an ordering (a list) of the search results (See Figure 3 and Col. 9, line 62 to Col. 10, line 38).

Regarding Claim 37, Synder discloses that ordering includes display of a heading that distinguishes (descriptions are different) at least one set of search results from another based on the characteristics therefore (See Figure 3).

Regarding Claim 48, Synder discloses that the indication of the characteristics includes display of search results corresponding to age appropriate content and purposeful omission from display of search results corresponding to age inappropriate content. (See Col. 9, line 62 to Col. 10, line 17).

Claims 1-4, 8-16, 22-28, 30-37, 40, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Bates et al. (2003/0188263).

Regarding Claim 1, Bates discloses a search tool graphical user interface, comprising:

- search criteria selected by an operator of the search tool (See paragraphs 0003-0006, 0018-0019);
- one or more search results that correspond to the search criteria (See paragraphs 0018-0019); and
- an indication of availability of content corresponding to the one or more search results (See Figure 23, paragraphs 0054, 0057, 0060).

Regarding Claim 2, Bates discloses that the indication of availability includes a textual message proximate to the search result for which the indication of availability is being rendered (See paragraphs 0004, 0005, 0018, 0057, 0094, 0112).

Regarding Claim 3, Bates discloses that the indication of availability includes a graphical icon proximate to the search result for which the indication of availability is being rendered (See paragraph 0152).

Regarding Claim 4, Bates discloses the icon is selectable to reveal text describing the availability of content corresponding to the search result for which the indication of availability is being rendered (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152).

Regarding Claim 8, Bates discloses a search tool graphical user interface, comprising:

- search criteria selected by an operator of the search tool (See paragraphs 0003-0006, 0018-0019);
- one or more search results that correspond to the search criteria (See paragraphs 0018-0019); and

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- an indication of maturity of content (pornographic) corresponding to the one or more search results. (See Figure 23, paragraphs 0054, 0057, 0060, 0120, 0126).

Regarding Claim 9, Bates discloses that the indication of maturity includes a textual message proximate to the search result for which the indication of availability is being rendered. (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152).

Regarding Claim 10, Bates discloses that the indication of maturity includes a graphical icon proximate to the search result for which the indication of availability is being rendered. (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152, 0125-129).

Regarding Claim 11, Bates discloses that the icon is selectable to reveal text describing the maturity of content corresponding to the search result for which the indication of maturity is being rendered. (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152, 0125-129).

Regarding Claim 12, Bates discloses that the indication of maturity includes an ordering of search results, the ordering including search results corresponding to content appropriate for minors before search results corresponding to content inappropriate for minors. (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152, 0125-129).

Regarding Claim 13, Bates discloses that the ordering includes display of a heading that distinguishes search results corresponding to content appropriate for

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minors from search results corresponding to content inappropriate for minors. (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152, 0125-129).

Regarding Claim 14, Bates discloses that the indication of availability includes display of search results corresponding to content inappropriate for minors and purposeful omission from display of search results corresponding to content inappropriate for minors (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152, 0125-129).

Regarding Claim 15, discloses a search tool graphical user interface, comprising:

- search criteria selected by an operator of the search tool; (See paragraphs 0003-0006, 0018-0019);
- one or more search results that correspond to the search criteria (See paragraphs 0018-0019); and
- an indication of characteristics displayed for one or more of the search results. (See Figure 23, paragraphs 0054, 0057, 0060, 0120, 0126).

Regarding Claim 16, Bates discloses that an indication of characteristics is displayed for each of the search results. (See paragraphs 0005, 0018, 0019, 0054, 0057, 0060, 0152).

Regarding Claim 22, Bates discloses that the characteristics include an age appropriateness such that at least one of the search results is displayed with an indication of the age appropriateness of content corresponding to the at least one of the search results. (See Figure 23, paragraphs 0054, 0057, 0060, 0120, 0126).

Regarding Claim 23, Bates discloses that the characteristics include a file type such that at least one of the search results is displayed with an indication of the file type (video, graphical, audio, etc) included in content to be rendered in response to selection of the at least one of the search results (See paragraphs 0054, 0057).

Regarding Claim 24, Bates discloses that the characteristics include a presence of multimedia content such that at least one of the search results is displayed with an indication of the presence of multimedia (video, graphical, audio, etc) content included in content to be rendered in response to selection of the at least one of the search results. (See paragraphs 0054, 0057).

Regarding Claim 25, Bates discloses that the characteristics include sources of the one or more search results such that at least one of the search results is displayed with an indication of the source of content to be rendered in response to selection of the at least one search result (See paragraphs 0004, 0005, 0008, 0018, 0057, 0094, 0106, 0112).

Regarding Claim 26, 27, message board and discussion forum are commonly known and available in Internet world. Since Bates shows that the sources could be any URLs or web pages) (paragraphs 0004, 0008, 0106), Bates invention can inherently reach and extract information from a web page or web site that include a message board or discussion forum to retrieve its matched information from any source (URLs) including message board or discussion forum which is not restricted or required password entry.

Regarding Claim 28, Bates discloses that the source includes a web page (See paragraphs 0004, 0008, 0106).

Regarding Claim 30, Bates discloses that the indication of the characteristics includes a textual message proximate to the search result for which a characteristics indication is being rendered. (See paragraphs 0004, 0005, 0008, 0018, 0057, 0094, 0106, 0112).

Regarding Claim 31, Bates discloses that the indication of the characteristics includes a graphical icon proximate to the search result for which a characteristics indication is being rendered.

Regarding Claim 32, Bates discloses that the icon is selectable to reveal text describing the characteristics of the search result for which the icon is rendered. (See paragraphs 0004, 0005, 0008, 0018, 0057, 0094, 0106, 0112).

Regarding Claim 33, Bates discloses that the icon is selectable to reveal text describing the means of identifying the characteristics of the search result for which the icon is rendered. (See paragraphs 0004, 0005, 0008, 0018, 0057, 0094, 0106, 0112).

Regarding Claim 34, Bates discloses that the indication of the characteristics includes multiple graphical icons proximate to the search result for which the multiple graphical icons are displayed (See paragraph 0152 and table 1).

Regarding Claim 35, Bates discloses that each of the multiple graphical icons is selectable to reveal text describing the characteristics of the search result for which the multiple graphical icons are rendered represented. (See paragraph 0152 and table 1).

Regarding Claim 36, Bates discloses that the indication of the characteristics includes an ordering of the search results (Table 1 and Figure 3, paragraphs 0004, 0005, 0061).

Regarding Claim 37, Bates discloses that ordering includes display of a heading (title) that inherently distinguishes at least one set of search results from another based on the characteristics therefore since each web sites are different (Table 1 and Figure 3).

Regarding Claim 40, Bates discloses that ordering includes search results corresponding to age appropriate content before search results corresponding to age inappropriate content (pornographic). (See Figure 23, paragraphs 0054, 0057, 0060, 0120, 0126).

Claim Rejections – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 38-45, 47-53, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder (6,643,641).

Regarding Claim 38, Snyder teaches that the search engine accepts user submitted search criteria and the search results can be ranked, subdivided into categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an

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ordering including newly discovered search results before (in location aspect on the result list) previously displayed search results yielded from a prior search of the search criteria in order to meet user's or programmer's choices involving simple (html) programming skill.

Regarding Claim 39, Synder teaches that the search engine accepts user user-submitted search criteria and the search results can be ranked, subdivided into categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an ordering including search results corresponding to available content before search results corresponding to unavailable content in order to meet user's or programmer's choices involving simple (html) programming skill. (See Col. 3, line 50 to Col. 4, line 40, and Col. 5, line 15 to Col. 6, line 54, Col. 19, lines 20-38).

Regarding Claim 40, Synder teaches that the search engine accepts user user-submitted search criteria and the search results can be ranked, subdivided into categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an ordering including search results corresponding to age appropriate content before search results corresponding to age inappropriate content in order to meet user's or programmer's choices involving simple (html) programming skill. (See Figure 3, Col. 9, line 62 to Col. 10, line 38).

Regarding Claim 41, Synder teaches that the search engine accepts user user-submitted search criteria and the search results can be ranked, subdivided into

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categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an ordering including search results corresponding to content without advertisements before search results corresponding to content with advertisements in order to meet user's or programmer's choices involving simple (html) programming skill. (See Col. 10, lines 39-59, and Col. 30, lines 10-20).

Regarding Claim 42, Synder teaches that the search engine accepts user user-submitted search criteria and the search results can be ranked, subdivided into categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an ordering includes search results corresponding to content of a first file type displayed before search results corresponding to content of a second file type in order to meet user's or programmer's choices involving simple (html) programming skill. (See Col. 10, lines 39-59, and Col. 30, lines 10-20, Col. 24, lines 21-67 and Col. 25, lines 1-22).

Regarding Claim 43, Synder teaches that the search engine accepts user user-submitted search criteria and the search results can be ranked, subdivided into categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an ordering includes search results corresponding to content with multimedia content before search results corresponding to content without multimedia content in order to meet user's or programmer's choices involving simple (html) programming skill. (See

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Col. 10, lines 39-59, and Col. 30, lines 10-20, Col. 24, lines 21-67 and Col. 25, lines 1-22).

Regarding Claim 44, Synder teaches that the search engine accepts user user-submitted search criteria and the search results can be ranked, subdivided into categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an ordering includes search results corresponding to content without multimedia content before search results corresponding to content with multimedia content in order to meet user's or programmer's choices involving simple (html) programming skill. (See Col. 10, lines 39-59, and Col. 30, lines 10-20, Col. 24, lines 21-67 and Col. 25, lines 1-22).

Regarding Claim 45, Synder teaches that the search engine accepts user user-submitted search criteria and the search results can be ranked, subdivided into categories (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29). It would have been obvious to one of ordinary skilled in the art to add any desired categories to generate an ordering includes search results corresponding to content from a first source displayed before search results corresponding to content from a second source in order to meet user's or programmer's choices involving simple (html) programming skill. (See Col. 10, lines 39-59, and Col. 30, lines 10-20, Col. 24, lines 21-67 and Col. 25, lines 1-22).

Regarding Claims 47-53, Snyder teaches that the search engine can limit the number of web pages (See Col. 3, lines 3-8), generate report meeting the inputted criteria (See Col. 3, line 27 to Col. 4, line 59), provide categorizing technique (See Col. 5, line 34 to Col. 6, line 28, Col. 28, 5-29, Col. 9, line 62 to Col. 10, line 38). It would

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have been obvious to one of ordinary skilled in the art to provide "purposeful omission" or omit particular category (e.g. unavailable, advertisements, adult content, video, audio) of results in order to meet user's or programmer's choices involving simple (html) programming skill. Further, there are many software programs nowadays available in market such as anti-virus, filter, firewall, or password entry portal for allowing users to pick their selected categories of URLs. Such limitations are not novelty.

Claims 29, 46, 54, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Synder (6,643,641) in view of Bates et al. (2003/0188263).

Regarding Claims 29, 46, 54, Bates teaches a manner of displaying percentage of targets visited (See paragraphs 0141, 0142, 0152). It would have been obvious to one of ordinary skill in the art to use percentage of targets visited as a category in Snyder to provide "purposeful omission" or omit particular category (visitors percentage, number of viewers) of results in order to meet user's or programmer's choices involving simple (html) programming skill.

Claims 5-7, 17-21, 29, 38, 39, 41-54, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. (2003/0188263).

Regarding Claims 5-7, Bates teaches that displays and results can be selected particularly (See paragraphs 0018, 0020, 0062, 0072, 0093, 0097, 0112, 0136). It would have been obvious to one of ordinary skilled in the art to provide any desired selection (such as available content, unavailable content) in order to meet user's or programmer's choices involving simple (html) programming skill.

Regarding Claims 29, 46, 54, Bates teaches a manner of displaying percentage of targets visited (See paragraphs 0141, 0142, 0152). It would have been obvious to one of ordinary skill in the art to use percentage of targets visited as a category to provide "purposeful omission" or omit particular category (visitors percentage, number of viewers) of results in order to meet user's or programmer's choices involving simple (html) programming skill.

Regarding Claims 17, 18, 38, 39, 41-45, 47-53, Bates teaches that displays and results can be selected particularly (See paragraphs 0018, 0020, 0062, 0072, 0093, 0097, 0112, 0136). It would have been obvious to one of ordinary skilled in the art to provide "purposeful omission" or omit particular category (e.g. unavailable, advertisements, adult content, video, audio) of results in order to meet user's or programmer's choices involving simple (html) programming skill. Further, there are many software programs nowadays available in market such as anti-virus, filter, firewall, or password entry portal for allowing users to pick their selected categories of URLs. Such limitations are not novelty.

Regarding Claim 19-21, advertisements are well known including pop-up, pop-down, and media (video, audio) advertisements.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dresden (2005/0055340) discloses neural-based Internet search engine. Bernhart et al. (2004/0220897) discloses a system, method, and computer

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software product for instrument control. Palmer et al. (6,990,628) discloses a method and apparatus for measuring similarity among electronic documents.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to the application may be submitted by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

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